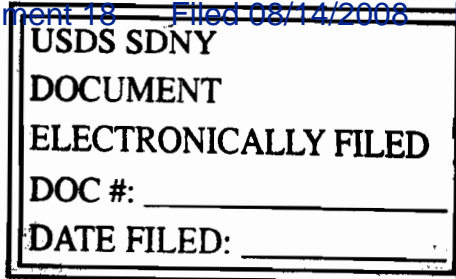


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August 12, 2008

**VIA FEDERAL EXPRESS**

Hon. Kenneth M. Karas  
 United States Courthouse  
 300 Quarropas Street  
 White Plains, New York 10601

**MEMO ENDORSED**

Re: *Alaimo v. Klein & Folchetti, et al.*  
Case No.: 07-CV-7623

Dear Judge Karas:

This firm represents defendants Klein & Folchetti, Robert W. Folchetti, Michelle Klein Folchetti, Esq. and Michelle Klein Folchetti ("the Folchetti defendants") in the captioned matter. In an order dated April 14, 2008, your Honor dismissed the complaint against the Folchetti defendants for lack of subject matter jurisdiction. On May 1, 2008, plaintiffs filed a motion for reconsideration of that order and a stay of the action. That motion was never served on the Folchetti defendants and had to be retrieved from the file by this office. The Folchetti defendants submitted their opposition to that motion on May 19, 2008.

Yesterday, after a routine review of the PACER docket sheet for this matter we learned that on July 31, 2008 plaintiffs filed an amendment of their motion for reconsideration and stay. Once again, this motion was not served on the Folchetti defendants and this office is in the process of obtaining a copy from the Clerk's office. The Folchetti defendants respectfully request that they be granted until September 12, 2008 to submit opposition to plaintiffs' amended motion.

Thank you for your consideration of this matter.

Sincerely,

  
 Jonathan R. Harwood

The Folchetti Defendants may submit  
 opposition papers by September 12, 2008.  
 Plaintiffs are reminded to serve all papers on  
 Defendants in this case

LLS/

cc: Vincent Alaimo, Susan Alaimo and  
 Minette Alaimo (via Overnight Mail)

**SO ORDERED**

  
 KENNETH M. KARAS U.S.D.J.

8/13/08